

differ in size in accordance with the degree to which a baffle is manually screwed in or out of a conduit. Those of ordinary skill in the art would know that the baffle is screwed in and out prior to supplying pressured fire fighting fluid to the nozzle. During flow the discharge orifice remains fixed. It is alterable manually.

Claim 3 further recites means for occluding the additive passageway in conjunction with variations of the discharge orifice size. This is the self-metering feature. "The discharge orifice size" in claim 3 refers to the discharge orifice that varies in size with supply pressure, as discussed above. Peck has no such automatically varying discharge orifice. Peck, therefore, also does not disclose variably occluding the additive passageway in conjunction with a discharge orifice size that varies in size with supply pressure.

Claim 4 recites an opening in the additive passageway calibrated to automatically adjust in response to variations of the discharge orifice size, again the "self-metering" feature. Like the discussion in regard to claim 3 above, "the discharge orifice size" refers to the discharge orifice that varies in size with supply pressure of the liquid. Peck does not teach or suggest such a discharge orifice that varies in size with supply pressure of the liquid. It follows therefore that Peck cannot teach or disclose an additive passageway calibrated to automatically adjust in response to such variations.

Since claims 3 and 4 are not anticipated by Peck, for at least the above reasons, dependent claims 7 and 8 are not anticipated either without further argument.

#### Rejection Under Section 103(a)

#### Claims 1, 2, 5, 6, 10-13 Rejected Under Section 103(a) as Unpatentable Over Peck in View of Klein and Claims 9 and 14 Rejected Further in View of Steingass

Applicant respectfully traverses, as discussed above, that Peck teaches or suggests an "automatic" nozzle, i.e. a nozzle having a fire fighting liquid conduit that "that varies in size with supply pressure of the liquid." These are limitations found in the preamble and in the first elements of claims 1 and 2, the two independent apparatus claims. Independent method claims 10, 11 and 12 similarly all recite "an automatic (pressure regulating, at least in part) fire fighting nozzle."

As discussed above, Peck does not teach or suggest such an automatic nozzle. For this reason, therefore, all of the rejections under Section 103(a) over Peck in view of Klein must fail.

Looked at alternately, the Examiner recites Klein for disclosing an additive valve 10 with additive opening 54 that can adjust automatically with the flow rate. Peck, however, discloses nothing that automatically adjusts with flow rate. Hence, adding Klein's valve 10 to Peck's

structure would eliminate any automatic adjustment with flow rate that the Examiner finds in Klein. Hence, Klein combined with Peck would not provide an automatically variable additive opening.

To summarize, the automatic pressure regulating feature is found in independent apparatus claims 1-4 and in independent method claims 10-12. Peck does not teach or suggest the automatic pressure regulating feature for a fire fighting nozzle. Since all of the limitations of independent claims 1-4 and 10-12 have not been found in the cited references, singly or in combination, all of the independent claims and those that depend thereon are allowable without more. In particular, the claims are allowable without going into a discussion of any motivation to combine any two references.

Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Sue Z. Shaper, Applicants' Attorney at 713 550 5710 so that such issues may be resolved as expeditiously as possible.

For these reasons, and in view of the above amendments, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,

12/12/5  
Date



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